

05-07-07

1634

Attorney's Docket No.: 17120-002007 / 2401G



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cantor *et al.*
Serial No. : 09/030,571
Filed : February 24, 1998
Title : **POSITIONAL SEQUENCING BY HYBRIDIZATION**

Art Unit : 1634
Examiner : Betty J. Forman
Conf. No. : 7542

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

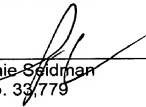
Dear Sir:

Transmitted herewith are a Terminal Disclaimer; a check for \$130 for the requisite fee for filing the Terminal Disclaimer; and a return postcard in connection with the above-captioned patent application. If a Petition for extension of time is needed, this paper is to be considered such Petition.



The Commissioner is hereby authorized to charge any fee, including that submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency or to credit any overpayment to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,
Fish & Richardson P.C.


Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 17120-002007 / 2401G

Address all correspondence to:

Stephanie Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
email: seidman@fr.com

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number **EV 965982466 US**
Date of Deposit: **May 3, 2007**

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop Petitions, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.


Stephanie Seidman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cantor *et al.* Art Unit : 1634
Serial No. : 09/030,571 Examiner : Betty J. Forman
Filed : February 24, 1998 Conf. No. : 7542
Title : **POSITIONAL SEQUENCING BY HYBRIDIZATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

The owner, THE TRUSTEES OF BOSTON UNIVERSITY, of 100 percent interest in the above-captioned application, by virtue of an assignment from the inventors of the above-referenced patent application, which was recorded in the Patent and Trademark Office at Reel 009358, Frame 0280 on July 30, 1998, hereby disclaims the terminal part of any patent granted on the above-captioned U.S. application Serial No. 09/030,571 that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,007,987. The owner hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that it and U.S. Patent No. 6,007,987 are commonly owned. This Agreement runs with any patent granted on the above-captioned application, and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,007,987, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

05/07/2007 EEKUBAY2 00000040 09030571

01 FC:1814

130.00 DP

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EV 965982483 US

Date of Deposit: May 3, 2007

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop/Postition, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.


Stephanie Seidman

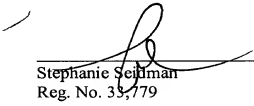
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned states that I am an attorney of record in this case for Petitioner, and am authorized to sign on behalf of the Petitioner. I hereby declare that to the best of my knowledge and belief, title is in the assignee, THE TRUSTEES OF BOSTON UNIVERSITY, identified above.

Enclosed is a check for \$130 for the required fee pursuant to 37 C.F.R. § 1.20(d). Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 03, 2007


Stephanie Seidman
Reg. No. 35,779

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796